

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANDREA SOLTESZ and STEPHEN
SOLTESZ, husband and wife; ERIN T.
SOLTESZ and SARAH, minors by ANDREA
SOLTESZ, guardian ad litem; DAWN
DENNISON and JEFF DENNISON, husband
and wife; JACOB D. DENNISON and
HANNAH R. DENNISON, minors by
DAWN DENNISON, guardian ad litem; and
STEVEN SMITH, a single man,

Plaintiffs,

v.

UNITED RENTALS NORTHWEST, INC.,
an Oregon corporation; WASHINGTON
STATE PATROL, an agency of the STATE
OF WASHINGTON; PIERCE COUNTY
SHERIFF'S DEPARTMENT, an agency of
PIERCE COUNTY; and BONNEY LAKE
POLICE DEPARTMENT, an agency of the
CITY OF BONNEY LAKE,

Defendants.

Case No. C07-5198RBL

ORDER GRANTING DEFENDANT
PIERCE COUNTY SHERIFF'S
DEPARTMENT'S MOTION FOR
SUMMARY JUDGMENT

The motion of Defendant Pierce County Sheriff's Department for dismissal of Plaintiffs' action against it pursuant to FRCP 56 came on regularly before the Court on Friday, November 21, 2008.

In ruling upon Defendant Pierce County Sheriff's Department's motion for summary judgment, the Court has considered the following:

1. Defendant Pierce County Sheriff's Department's Motion for Summary Judgment with the following attached Exhibits:

- a. Declaration of Deputy Andrew Finley;
- b. Washington State Patrol Investigative Report; and
- c. Declaration of Denise Severson.

2. Declaration of Ronald L. Williams in Support of Motion for Summary Judgment with the following attached Exhibits:

- d. Deposition of Jeffrey W. Dennison taken June 26, 2008;
- e. Deposition of Dawn Dennison taken June 26, 2008;
- f. Deposition of Andrea Soltesz taken June 26, 2008;
- g. Deposition of Stephen Soltesz taken June 26, 2008; and
- h. Excerpt of Pierce County Sheriff's Department Policy Manual, Section 6.01.102.

The Court has considered all materials submitted in support of and in opposition to the motion for summary judgment, and finds that there are no genuine issues of material fact and that Defendant Pierce County Sheriff's Department is entitled to summary judgment dismissal as a matter of law regarding Plaintiffs' claims.

No response having been filed by plaintiffs, it is hereby

ORDERED, ADJUDGED AND DECREED that Defendant Pierce County Sheriff's Department's motion for summary judgment is hereby **GRANTED** and that all claims of Plaintiffs are hereby **DISMISSED** with prejudice.

Dated this 21st day of November, 2008.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE